

**Job Title:** Deputy Assistant General Counsel for Litigation, Employment and Oversight

**Department:** Department Of Commerce

**Agency:** Office of the Secretary

**Job Announcement Number:** OS/OGC-2016-0007

**SALARY RANGE:** \$123,175.00 to \$185,100.00 / Per Year

**OPEN PERIOD:** Tuesday, January 5, 2016 to Tuesday, January 26, 2016

**SERIES & GRADE:** ES-0905-00

**POSITION INFORMATION:** This is a Full-Time position in the Senior Executive Service (SES). - This is a Permanent SES General position.

**DUTY LOCATIONS:** 1 vacancy - Washington DC, DC

**WHO MAY APPLY:** Applications will be accepted from All Qualified Individuals (U.S. Citizens Only)

**SECURITY CLEARANCE:** Top Secret

**SUPERVISORY STATUS:** Yes

## **JOB SUMMARY:**

### About the Agency

The Office of General Counsel is looking for an energetic, innovative legal officer who will enjoy working in a dynamic and mission driven organization as Deputy Assistant General Counsel for Litigation, Employment, and Oversight. The ideal candidate will have experience applying forward-thinking leadership in promoting and implementing a vision that fosters organizational excellence. This position requires an in-depth knowledge of legal services in areas of labor, employment, litigation, and oversight; a keen customer-focused orientation; and a consultative mind-set. The incumbent will lead legal programs and services, including management, development and implementation of strategies that anticipate customer needs, and the execution of vital change initiatives.

This position is located in the Office of the Assistant General Counsel for Litigation, Employment, and Oversight and reports directly to the Assistant General Counsel. The mission of the Office is to provide commercial and general legal advice and litigative representation to the U.S. Department of Commerce.

## **TRAVEL REQUIRED**

- Occasional Travel
- Position may require some travel (25% or less)

## **RELOCATION AUTHORIZED**

- No

## **KEY REQUIREMENTS**

- Background and/or Security Investigation required.
  - Subject to pre-employment and employment random drug testing.
  - Public Financial Disclosure (SF-278 filing within 30 days is required).
  - Incumbent may be subject to geographically mobility.
  - This position has an educational requirement.
  - Must possess a J.D. or LL.B degree from an accredited law school.
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## **DUTIES:**

The Deputy Assistant General Counsel for Litigation, Employment and Oversight will serve as the principal advisor to the Assistant General Counsel for Litigation, Employment and Oversight and provide legal support services and guidance on labor, employment, litigation, and oversight matters that arise in the conduct of the Department's mission. Specifically, the incumbent will:

Provide counsel and strategically guide the Department and its Bureaus when engaged in issues involving labor, employment, litigation, and oversight.

Review legislation, executive orders and proclamations to determine their legal effect upon the labor, employment, and litigation activities of the Department.

Provide legal assistance in preparing, advising, or examining for legal form and effect, public and internal orders, rules and regulations issued by the Department in the areas of labor, employment, litigation, and oversight.

Oversee the three divisions of the Office of the Assistant General Counsel for Litigation, Employment, and Oversight:

- The General Litigation Division – which handles in matters involving tort claims, bankruptcies, foreclosures, declaratory relief, and appeals, through the preparation of litigation reports, pleadings, briefs, motions, orders, demands and other litigation documents and communications. As part of these responsibilities, the incumbent will oversee the Division's provision of advice, counsel and representation to the Department in various litigation matters; negotiation of settlements determined to be in the interest of the Government; and coordination with the Department of Justice on all claims and general litigation matters in the United States Claims Court, U.S. Bankruptcy Courts, U.S. District Courts, Circuit Courts of Appeal and U.S. Supreme Court.
- The Employment and Labor Law Division - which provides advice and guidance to management regarding employment and labor law issues, including the legal standards for taking adverse and performance-based actions; laws regarding discrimination and harassment; issues relating to labor relations, unions, collective bargaining agreements, negotiations, and grievances; and statutes, regulations, and policies relating to the administration of leave and other employee benefits. As part of these responsibilities,

the incumbent will oversee the Division's representation of the Department, its bureaus and activities, in administrative proceedings relating to employment or labor law matters before the Equal Employment Opportunity Commission, the Merit Systems Protection Board, the Federal Labor Relations Authority, and the Foreign Service Grievance Board, and assist the Department of Justice in representing the agency in Federal courts.

- The Oversight Division - which provides legal and strategic advice to the Department and its Bureaus on oversight issues involving responses to Inspector General referrals, audits, and investigations; responses to Congressional oversight inquiries and requests for briefing, interviews, and hearings; internal investigations initiated by the Department, its Bureaus, or by Inspector General referral; and criminal, civil, and administrative enforcement issues.

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## QUALIFICATIONS REQUIRED:

To meet the minimum qualification requirements for this position, you must show in your Resume that you possess all of the mandatory Executive Core Qualifications and Professional/Technical Qualifications listed below. These qualifications would typically be acquired through education, experience, and training which reflect progressive development and executive potential. An individual's total experience and education must demonstrate possession of the executive core and professional/technical qualifications to perform the duties of this position. Applicants must meet all of the qualification requirements by the closing date of this announcement.

This position and/or series has an educational requirement.

Applicants must be a graduate from a law school accredited by the American Bar Association in possession of a J.D. or LL.B. degree (law degree) and must be an active member in good standing of a state, territory of the United States, District of Columbia, or Commonwealth of Puerto Rico bar.

Applicants are required to **submit only a Resume** which provides detailed evidence of how they meet the mandatory Executive Core Qualifications (ECQs) and the mandatory Professional/Technical Qualifications (PTQs).

Applicants currently serving under a career Senior Executive Service (SES) appointment, are eligible for reinstatement into SES, or have successfully completed a SES Candidate Development Program (CDP) approved by OPM are not required to be evaluated on the ECQs.

If selected for the position as your initial career SES appointment, you will be required to submit a written narrative statement addressing all of the Executive Core Qualifications (ECQs). The Department of Commerce will work with the selectee to develop the appropriate ECQ narrative for QRB certification, as needed.

For detailed guidance on ECQs, applicants are strongly encouraged to review the Office of Personnel Management's Guide to Executive Qualifications at <http://www.opm.gov/ses/recruitment/ecq.asp>

## **HOW YOU WILL BE EVALUATED:**

Applicants who meet all of the mandatory executive and technical qualifications will be evaluated by an Executive Resource Board rating panel of SES members to determine which applicants are "Best Qualified". Applicants are encouraged to include in their resume, clear and concise examples of activities or tasks undertaken by the applicant that shows the scope and quality of work experience, accomplishments, and/or executive potential.

### **Applicants do not need to submit any separate narrative response to address the Executive Core Qualifications (ECQs) listed below:**

ECQ 1 - LEADING CHANGE: This core qualification involves the ability to bring about strategic change, both within and outside the organization, to meet organizational goals. Inherent to this ECQ is the ability to establish an organizational vision and to implement it in a continuously changing environment. (Competencies: creativity and innovation, external awareness, flexibility, resilience, strategic thinking, vision)

ECQ 2 - LEADING PEOPLE: This core qualification involves the ability to lead people toward meeting the organization's vision, mission, and goals. Inherent to this ECQ is the ability to provide an inclusive workplace that fosters the development of others, facilitates cooperation and teamwork, and supports constructive resolution of conflicts. (Competencies: conflict management, leveraging diversity, developing others, team building)

ECQ 3 - RESULTS DRIVEN: This core qualification involves the ability to meet organizational goals and customer expectations. Inherent to this ECQ is the ability to make decisions that produce high-quality results by applying technical knowledge, analyzing problems, and calculating risks. (Competencies: accountability, customer service, decisiveness, entrepreneurship, problem solving, technical credibility)

ECQ 4 - BUSINESS ACUMEN: This core qualification involves the ability to manage human, financial, and information resources strategically. (Competencies: financial management, human capital management, technology management)

ECQ 5 - BUILDING COALITIONS: This core qualification involves the ability to build coalitions internally and with other Federal agencies, State and local governments, nonprofit and private sector organizations, foreign governments, or international organizations to achieve common goals. (Competencies: partnering, political savvy, influencing/negotiating)

### **Applicants do not need to submit any separate narrative response to address the Professional**

**Technical Qualifications (PTQs) listed below:**

PTQ 1 - Executive experience working with senior policy officials to identify and address legal issues involved in developing and implementing high profile programs of interest to Congress and the public.

PTQ 2 - Executive experience in planning, implementing and supervising legal work, providing sound and timely legal counsel on labor, employment, litigation, and oversight matters.

PTQ 3 - Executive experience developing strategy for, trial and appellate litigation in Federal Courts.

To preview questions please [click here](#).

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**BENEFITS:**

You can review our benefits at: <http://www.opm.gov/healthcare-insurance/>

**OTHER INFORMATION:**

Background Investigation: This position is designated as critical-sensitive and requires that a background investigation be conducted and favorably adjudicated in order to establish security eligibility.

Financial Disclosure: This position is covered under the Ethics in Government Act, which requires comprehensive financial disclosures from employees. The appointee will be required to file a Public Financial Disclosure Report (SF-278), within 30 days after his/her appointment, and then annually thereafter.

Qualifications Approval and Probationary Period: Persons newly selected for career appointment to the Senior Executive Service must have their executive core qualifications approved by an Office of Personnel Management Qualifications Review Board and will be required to serve a one-year probationary period.

Mobility: Individuals selected for Senior Executive Service positions may be subject to reassignment across geographical, organizational, and functional lines.

Drug Testing: Applicants tentatively selected for employment in any position are subject to designated and/or random pre-employment and employment urinalysis. Applicants who refuse to be tested will be denied employment and/or removed from employment with the Department of Commerce.

The materials you send with your application will not be returned.

**Veterans' preference is not applicable to positions in the Senior Executive Service.**

You will be required to enter your full social security number (SSN) only to initially access and create an account at the OPM USAJOBS website; however, only the last four digits will appear in your resume. Please DO NOT put your SSN on pages within your application package. Privacy Act - Privacy Act Notice (PL 93-579): The information requested here is used to determine qualifications for employment and is authorized under Title 5 U.S.C. 3302 and 3361.

Signature - Before you are hired, you will be required to sign and certify the accuracy of the information in your application.

False Statements - If you make a false statement in any part of your application, you may not be hired, you may be fired after you begin work, or you may be subject to fine, imprisonment, or other disciplinary action.

Selective Service - If you are a male applicant born after December 31, 1959, you must certify that you have registered with the Selective Service System or are exempt from having to do so under the Selective Service Law.

The United States Government does not discriminate in employment on the basis of race, color, religion, sex, national origin, political affiliation, sexual orientation, marital status, disability, age, membership in an employee organization, or other non-merit factor.

AN EQUAL OPPORTUNITY EMPLOYER

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**HOW TO APPLY:**

Applicants must complete and submit a Resume/Application online at the Office of Personnel Management (OPM) USAJOBS website at <https://www.USAJOBS.gov>. An account must be established at the OPM website following the instructions provided in order to apply for the position. **Resumes/Applications submitted other than the USAJOBS online application WILL NOT BE CONSIDERED under this announcement.**

Your Resume/Application and all supporting documents must be received by 11:59 pm Eastern Standard Time (EST) on the closing date of this announcement. Applicants applying on-line for this position will be able to apply until 11:59 pm Eastern Standard Time (EST) on the closing date of this announcement. Please allow adequate time to complete your application.

If you encounter technical difficulties during the process, please call 1-877-662-7730 Monday through Friday, 7:00 a.m. to 5:00 p.m. EST (excluding Federal holidays) for assistance. If you have technical difficulties applying to the vacancy on the USAJOBS website, click on Contact

USAJOBS. It is suggested that you do not wait until the last day to apply for a vacancy announcement. We will not accept applications other than those submitted through USAJOBS.

A complete application package consists of the following:

1. Detail Resume/Application (created during the registration process) and responses to the general online job questions submitted via this website. Your resume must include the following information:

a. Your full name, mailing address (including zip code), and day and evening telephone numbers.

b. Paid and Non-paid job-related work experience. For each job listed you are to provide:

(1) Job title

(2) Duties and accomplishments

(3) Employers' name and address

(4) Supervisor's name and phone number

(5) Starting and ending dates (month and year)

(6) Hours per week

(7) Salary

(8) If Federal; Title, Series, and grade/pay band

c. Education. Provide name, city and state of all schools attended; i.e., colleges and universities, vocational, trade, business, technical. Provide dates of attendance, major, and type and year of any degrees received. Report only attendance and/or degrees from schools accredited by accrediting institutions recognized by the U.S. Department of Education. For more information, you may refer to the following website:

<http://www.ed.gov/admins/finaid/accred/index.html>

d. Other Job Related Qualifications Information: Provide training courses, special skills you possess, certificates and licenses, honors, awards, special accomplishments, etc., applicable to the position.

2. A copy of your most recent SF-50 for current and former Federal employees.

**As the Applicant, it is your responsibility to verify that information entered, uploaded, and sent is received and is accurate.**

The Selectee will be required to provide documentation of an active membership in good standing of a state, territory of the United States, District of Columbia, or Commonwealth of Puerto Rico bar.

The Department of Commerce provides reasonable accommodations to applicants with disabilities. If you need a reasonable accommodation for any part of the application and hiring process, please notify Ruthie B. Stewart, the servicing Human Resources Specialist, either by e-mail at [rstewart@doc.gov](mailto:rstewart@doc.gov) or by telephone at 202-482-3130.

The decision on granting reasonable accommodation will be on a case-by-case basis. TTY users may contact us via the Federal Relay Service, 1-800-877-8339.

### **REQUIRED DOCUMENTS:**

In addition to your online Resume/Application, the following documents must be submitted and received by 11:59 p.m. Eastern Standard Time (EST) on the closing date of this announcement:

For current Senior Executives or individuals with SES reinstatement eligibility: You must submit your most recent SF-50 (Notification of Personnel Action) that shows career appointment in the SES.

For current Federal employees: You must submit your most recent SF-50 (Notification of Personnel Action) that shows your current tenure, position title, series and grade level.

For Senior Executive Service Candidate Development Program (SESCDP) Graduates: You must submit your SESCO DP OPM-Certification documentation.

**Applicants who fail to submit requested documents WILL NOT receive consideration for this position. Application will result in an "Incomplete" rating.**

You may be directed to FAX specific documentation to verify information about your civil service status, your education, and/or other information. Please fax with the appropriate cover sheet. Please refer to the fax cover sheet for the fax number. Each document must be dialed and faxed in separately as each sheet includes an identification number, which ensures your document is processed correctly.

### **FAXING INSTRUCTIONS:**

Please fax legible documents using the appropriate coversheet. Documents may be faxed at any time during the open period of this announcement by going to <http://www.usajobs.opm.gov>



1. Log into MYUSAJOBS
2. Click on "Applications"
3. Locate the vacancy you applied to
4. Under "Applicant Status" column, click on "More Information"
5. Select "View/Generate Fax Cover Sheet" and click "Continue"

Do not submit any additional information that is not required: Extraneous materials such as award certificates will not be considered.

If you do not have access to the internet, please contact the Human Resources Specialist listed on this vacancy announcement for alternate methods of application.

#### **AGENCY CONTACT INFO:**

*Ruthie B. Stewart*  
*Phone: 202-482-3130*  
*Fax: 202-482-2922*  
*TDD: 1-800-877-8339*  
*Email: [rstewart@doc.gov](mailto:rstewart@doc.gov)*  
*Agency Information:*  
*OFFICE OF THE SECRETARY*  
*1401 Constitution Ave. NW*  
*Rm 7412*  
*Attn: Human Resources*  
*Washington, DC*  
*20230*  
*US*  
*Fax: 202-482-2922*

#### **WHAT TO EXPECT NEXT:**

The Office of Executive Resources will provide notification of applicant status through periodic emails at the four points of the hiring process, as applicable, in a timely fashion. The four points of notification are: Application Received; Minimum Qualification Requirement Met or Not Met; Panel Rating of Best Qualified (Application referred to the Selecting Official) or Panel Rating of Qualified/Not Qualified (Application not referred to Selecting Official); and Selected or Not Selected.

Applicants can check the status of their application at any time after the announcement closes

by accessing USAJOBS website.

Select "My USAJOBS" and enter your ID and password. Click the link titled "Applications" and select the link under "Application Status" next to the name of the announcement. Your status will be updated as changes occur. If you have any questions, you may contact the Human Resources Specialist at the telephone number listed in the announcement.